



PATENT
450100-03085

11/15/02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Eiji KAWAI
Serial No. : 09/819,210
For : SALES ACTIVITY MANAGEMENT SYSTEM,
SALES ACTIVITY MANAGEMENT
APPARATUS, AND SALES ACTIVITY
MANAGEMENT METHOD
Filed : March 28, 2001
Examiner : Vig, Naresh
Art Unit : 3629

745 Fifth Avenue
New York, NY 10151

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an envelope
addressed to: Assistant Commissioner for Patents, Washington,
DC 20231, on November 8, 2002

Gordon Kessler, Reg. No. 38,511

Name of Applicant, Assignee or Registered Representative

Gordon Kessler
Signature

November 8, 2002

Date of Signature

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AMENDMENT

Assistant Commissioner for Patents
BOX AF
Washington, D.C. 20231

Dear Sir:

In response to the outstanding Final Office Action dated September 20, 2002,
reconsideration and allowance of the above-referenced application are respectfully requested.

At page 2 of the outstanding Final Office Action, the Examiner has rejected
claims 1, 3, 6-13, 15-22 and 27-33, all of the claims currently pending in this application, under

35 U.S.C. §103(a) as being unpatentable over broadcasting service provider DISH Network “www.dishnetwork.com” in view of an article from Adam Lincoln in further view of an article from Justin Wood. Applicant respectfully traverses the rejection.

The article from Adam Lincoln includes a publication date of December, 2000. The article from Justin Wood includes a publication date of March 2001, and refers to an event having taken place in December 2000 that is relied upon by the Examiner. However, Japanese patent application No. 2000-092205, the Japanese priority application to which the current pending application claims priority, includes a priority date of March 29, 2000. A certified English translation of this Japanese priority document is enclosed. Thus, the foreign priority document to which the currently pending application claims priority pre-dates the publication dates of the Lincoln and Wood articles as well as the referenced date in the Wood article. Applicant therefore submits that neither the Lincoln article nor the Wood article are proper prior art to the pending application.

All the claims in the pending application were rejected over a combination including this Lincoln article. After removing these articles as prior art, no other rejection of these claims stands, and Applicant therefore submits that claims 1, 3, 6-13, 15-22 and 27-33, all the claims currently pending in the application, are in condition for allowance.

CONCLUSION

Applicant has made a diligent effort to explain why claims 1, 3, 6-13, 15-22 and 27-33 are in condition for allowance, and Notice to this effect is earnestly solicited. If the Examiner is unable

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to issue a Notice of Allowance regarding these claims, the Examiner is requested to contact the undersigned attorney in order to discuss any further outstanding issues.

Early and favorable consideration are respectfully requested.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By: 

Gordon Kessler

Registration No. 38,511

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AF/3629

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Tel. (212) 588-0800Assistant Commissioner for Patents
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Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.
☐ The fee has been calculated as shown below.
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

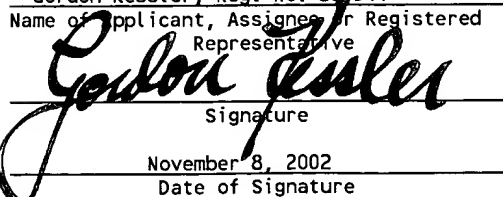
Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional fee
Total claims	* 25	Minus	** 26 =	* 0 x	\$18 (9)	= \$ 0
Independent claims	* 3	Minus	*** 4 =	* 0 x	\$84(42)	= \$ 0
			Total additional fee for this amendment			\$ 0

- * If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.
** If the highest number of total claims previously paid for is less than 20, write "20" in this space.
*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

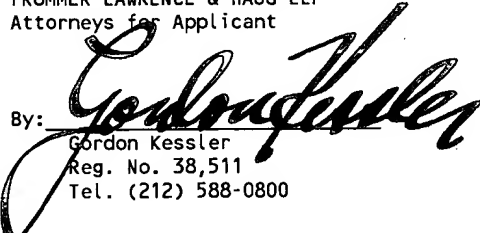
- ☐ This application contains a multiple dependent claim. The required fee of \$280(140) has been previously paid __, or is paid herewith __.
- ☐ This response is being filed within the month following the expiration of the term originally set therefor. This is a petition to request a -month extension of time. A check covering the cost of the petition is enclosed.
- ☐ A check in the amount of \$__ is attached, which covers the cost of __ additional claims __ petition for extension of time.
- ☐ Charge \$__ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

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Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231, on November 8, 2002

Gordon Kessler, Reg. No. 38,511
Name of Applicant, Assignee or Registered Representative

Signature
November 8, 2002
Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

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